| Case 09-12411 Doc 1<br>B1 (Official Form 1) (1/08)   | Filed 04/07/09<br>Document   |   |  | B De                                   | sc Main                             |
|--|--|---|--|--|-------------------------------------|
|  | tes Bankruptcy Co<br>n District of Illinoi   | ourt  |  | Volu                                   | ıntary Petition                     |
| Name of Debtor (if individual, enter Last, First, Middle Moraga, Rafael  | e):  | Name of Joint Debto   | or (Spouse) (Last, First, M  | Middle):                               |                                     |
| All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):   |  |   | ed by the Joint Debtor in aiden, and trade names):   | the last 8                             | years                               |
| Last four digits of Soc. Sec. or Individual-Taxpayer I.E EIN (if more than one, state all): <b>2576</b>  | D. (ITIN) No./Complete   | _   | oc. Sec. or Individual-Tanne, state all): <b>1724</b>  | xpayer I.D                             | . (ITIN) No./Complete               |
| Street Address of Debtor (No. & Street, City, State & Zip Code):  2338 West Lunt Avenue Chicago, IL  |  | Street Address of Joint Debtor (No. & Street, City, State & Zip Code):  2338 West Lunt Avenue Chicago, IL |  |  | te & Zip Code):                     |
|  | ZIPCODE <b>60645</b>   | ooago, 12   |  | 2                                      | ZIPCODE <b>60645</b>                |
| County of Residence or of the Principal Place of Busin   | ess:   | County of Residence   | e or of the Principal Place  | e of Busin                             | ess:                                |
| Mailing Address of Debtor (if different from street add  | dress)   | Mailing Address of  | Joint Debtor (if different   | from stree                             | et address):                        |
|  | ZIPCODE  |   |  | 7                                      | ZIPCODE                             |
| Location of Principal Assets of Business Debtor (if dif  | ferent from street address abo   | ove):   |  | <u> </u>                               |                                     |
|  |  |   |  | 7                                      | ZIPCODE                             |
| Type of Debtor   | Nature of Bu   | ısiness   | Chapter of Ban   |  | Code Under Which                    |
| (Form of Organization) (Check one box.)  ✓ Individual (includes Joint Debtors)  See Exhibit D on page 2 of this form.  ☐ Corporation (includes LLC and LLP)  ☐ Partnership  ☐ Other (If debtor is not one of the above entities, check this box and state type of entity below.) | (Check one  ☐ Health Care Business ☐ Single Asset Real Estate U.S.C. § 101(51B) ☐ Railroad ☐ Stockbroker ☐ Commodity Broker ☐ Clearing Bank ☐ Other  | ,   | Chapter 7 Chapter 9 Chapter 11 Chapter 12 Chapter 13   | Chap Reco Main Chap Reco               |                                     |
|  | Tax-Exempt (Check box, if a) Debtor is a tax-exempt of Title 26 of the United S Internal Revenue Code)   | pplicable.)<br>organization under<br>tates Code (the  | Debts are primarily debts, defined in 11 § 101(8) as "incurre individual primarily personal, family, or hold purpose." | consumer<br>U.S.C.<br>d by an<br>for a |                                     |
| Filing Fee (Check one box)   | )  | a   | Chapter 11 De  | ebtors                                 |                                     |
| <ul> <li>✓ Full Filing Fee attached</li> <li>☐ Filing Fee to be paid in installments (Applicable to i attach signed application for the court's consideration is unable to pay fee except in installments. Rule 100 3A.</li> </ul>   | Check one box:  Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D).  Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D).  Check if:  Debtor's aggregate noncontingent liquidated debts owed to non-insiders or affiliates are less than \$2,190,000. |   |  |  |                                     |
| Filing Fee waiver requested (Applicable to chapter 7 attach signed application for the court's consideration   | -  | Acceptances of th   | led with this petition   |  | om one or more classes of           |
| Statistical/Administrative Information  ☐ Debtor estimates that funds will be available for di ☐ Debtor estimates that, after any exempt property is distribution to unsecured creditors.  |  |   | will be no funds available   | for                                    | THIS SPACE IS FOR<br>COURT USE ONLY |
| Estimated Number of Creditors  |  | 001- 25,001-<br>000 50,000  | 50,001-  | Over                                   |                                     |

| is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A.  |                                      |                           |                          |   |   | Debtor's aggregate noncontingent liquidated debts owed to affiliates are less than \$2,190,000. |  |  |                                |      |
|---|--------------------------------------|---------------------------|--------------------------|---|---|---|--|--|--------------------------------|------|
|   |                                      | , ,                       |                          |   | uals only). Must<br>fficial Form 3B       | A plan i  | applicable boxes: s being filed with nees of the plan v s, in accordance v | this petition<br>were solicited pr         |                                | m on |
| Debtor estimates that funds will be available for distribution to unsecured creditors.  Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for |                                      |                           |                          |   |   |   | TH<br>C  |  |                                |      |
|   | d Number of  50-99                   | Creditors  100-199        |                          | 1,000-                                  | 5,001-                                    | 10,001-   |  | 50,001-                                    | Over                           |      |
| Estimate \$0 to \$50,000  | d Assets  \$50,001 to \$100,000      | \$100,001 to<br>\$500,000 | \$500,001 to \$1 million | 5,000<br>\$1,000,001 to<br>\$10 million | 10,000<br>\$10,000,001<br>to \$50 million | 25,000<br>\$50,000,001 to<br>\$100 million  | 50,000<br>\$100,000,001<br>to \$500 million                                | 100,000<br>\$500,000,001<br>to \$1 billion | 100,000  More than \$1 billion |      |
|   | d Liabilities  \$50,001 to \$100,000 | \$100,001 to<br>\$500,000 | V                        | \$1,000,001 to \$10 million             |   | \$50,000,001 to \$100 million   | \$100,000,001 to \$500 million   | \$500,000,001 to \$1 billion               | More than \$1 billion          |      |
| •   |                                      | ,                         |                          |   |   |   |  |  |                                |      |

| Location Where              | ion<br>e Filed: <b>None</b>   | Case Number:   | Date Filed:   |
|-----------------------------|---|--|---|
| Location                    | ion<br>e Filed:   | Case Number:   | Date Filed:   |
| Pe                          | ending Bankruptcy Case Filed by any Spouse, Partner or  | Affiliate of this Debtor (If n   | nore than one, attach additional sheet)   |
| Name<br>None                | of Debtor:  | Case Number:   | Date Filed:   |
| Distric                     | et:   | Relationship:  | Judge:  |
| 10K ar<br>Section<br>reques | Exhibit A e completed if debtor is required to file periodic reports (e.g., forms and 10Q) with the Securities and Exchange Commission pursuant to an 13 or 15(d) of the Securities Exchange Act of 1934 and is sting relief under chapter 11.)  Shibit A is attached and made a part of this petition. | (To be complete whose debts are I, the attorney for the petitione that I have informed the petiti chapter 7, 11, 12, or 13 of explained the relief available that I delivered to the debtor Bankruptcy Code. | Exhibit B  ed if debtor is an individual primarily consumer debts.)  er named in the foregoing petition, declare oner that [he or she] may proceed under title 11, United States Code, and have under each such chapter. I further certify the notice required by § 342(b) of the |
|                             |   | X /s/ Timothy K. Liou Signature of Attorney for Debtor(s   | 4/07/09 Date  |
| If this                     | e completed by every individual debtor. If a joint petition is filed, e<br>Exhibit D completed and signed by the debtor is attached and mais a joint petition:  | ade a part of this petition.   | •   |
|                             | Exhibit D also completed and signed by the joint debtor is attach   | ed a made a part of this petition.   |   |
| <u> </u>                    |   | ng the Debtor - Venue<br>pplicable box.)<br>of business, or principal assets in<br>0 days than in any other District.  | this District for 180 days immediately  |
|                             | There is a bankruptcy case concerning debtor's affiliate, general   | partner, or partnership pending i  | n this District.  |
|                             | Debtor is a debtor in a foreign proceeding and has its principal plot or has no principal place of business or assets in the United States in this District, or the interests of the parties will be served in reg  | but is a defendant in an action or   | proceeding [in a federal or state court]  |
|                             | Certification by a Debtor Who Reside  |  | l Property  |
|                             | (Check all app<br>Landlord has a judgment against the debtor for possession of debtor   | blicable boxes.) otor's residence. (If box checked,  | complete the following.)  |
|                             |   |  |   |
| 1                           | (Name of landlord or less   | or that obtained judgment)   |   |
|                             |   | or that obtained judgment) ndlord or lessor)   |   |

the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and

Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the

Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

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filing of the petition.

(This page must be completed and filed in every case)

**Voluntary Petition** 

Doc 1

Filed 04/07/09

Document

Entered 04/07/09 19:28:03

Moraga, Rafael & Moraga, Vilma A.

Page 2 of 39

Name of Debtor(s):

Prior Bankruptcy Case Filed Within Last 8 Years (If more than two, attach additional sheet)

Desc Main

Page 2

(This page must be completed and filed in every case)

Name of Debtor(s):

Moraga, Rafael & Moraga, Vilma A.

## Signatures

## $Signature (s) \ of \ Debtor (s) \ (Individual/Joint)$

Doc 1

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under Chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United State Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X /s/ Rafael Moraga

Signature of Debtor

Rafael Moraga

⟨ /s/ Vilma A. Moraga

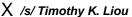
Signature of Joint Debtor Vilma A. Moraga

Telephone Number (If not represented by attorney)

April 7, 2009

Date

## Signature of Attorney\*



Signature of Attorney for Debtor(s)

Timothy K. Liou 06229724 Law Office Of Timothy K. Liou 575 West Madison Street, Suite 361 Chicago, IL 60661-2614

## April 7, 2009

Date

Date

\*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

## Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

| Signature of Authorized Ind | ividual      |
|-----------------------------|--------------|
| Printed Name of Authorized  | I Individual |

## Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

Date

- ☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached.
- ☐ Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

| ignature of | Foreign Repres  | entative     |  |
|-------------|-----------------|--------------|--|
|             |                 |              |  |
| rinted Nom  | e of Foreign Re | nracantativa |  |

## Signature of Non-Attorney Petition Preparer

I declare under penalty of perjury that: 1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; 2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h) and 342(b); 3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social Security Number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)

X

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above.

Date

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. § 110; 18 U.S.C. § 156.

# Case 09-12411 Doc 1 Filed 04/07/09 Entered 04/07/09 19:28:03 Desc Main Document Page 4 of 39 United States Bankruptcy Court Northern District of Illinois

| IN RE:                        |  | Case No   |  |
|-------------------------------|--|---|--|
| Moraga, Rafael & Moraga, Vilm | a A.                                     | Chapter <b>7</b>  |  |
|                               | Debtor(s)                                |   |  |
|                               | VERIFICATION OF CRE                      | EDITOR MATRIX   |  |
|                               |  | Number of Creditors35                                     |  |
| The above-named Debtor(s) h   | ereby verifies that the list of creditor | rs is true and correct to the best of my (our) knowledge. |  |
| Date: <b>April 7, 2009</b>    | /s/ Rafael Moraga                        |   |  |
|                               | Debtor                                   |   |  |
|                               | /s/ Vilma A. Moraga                      |   |  |
|                               | Joint Debtor                             |   |  |

Case 09-12411 Doc 1 Filed 04/07/09 Entered 04/07/09 19:28:03 Desc Main

Moraga, Rafael 2338 West Lunt Avenue Chicago, IL 60645 Document Page 5 of 39 Certified Services, Inc.
Box 177
Waukegan, IL 60079-0177

Box 960090 Orlando, FL 32896-0090

JC Pennev

Moraga, Vilma A. 2338 West Lunt Avenue Chicago, IL 60645 Chase Box 15153 Wilmington, DE 19886-5153 MiraMed Revenue Group Dept. 77304 Box 77000 Detroit, MI 48277-0304

Law Office Of Timothy K. Liou 575 West Madison Street, Suite 361 Chicago, IL 60661-2614 Citgo Processing Ctr Des Moines, IA 50362 Navy Federal Credit Union Box 3000 Merrifield, VA 22119-3000

American Express Box 981537 El Paso, TX 79998-1537 Citi Cards Box 688915 Des Moines, IA 50368-8911 Orthopaedics Of The North Shore Box 10177 Uniondale, NY 11555-0177

American Express Box 0001 Los Angeles, CA 90096-8000 Citi Platinum Select Card Box 6017 The Lakes, NV 89163-6017 Phillips 66-Conoco-76 Box 689140 Des Moines, IA 50368-9140

Austin Anesthesia, LLC Box 570 Lake Forest, IL 60045 Countrywide Home Lending 450 American St Credit Reporting S Simi Valley, CA 93065 Sain Francis Hospital C/O Miramed Revenue Group, LLC Box 77000, Dept. 77304 Detroit, MI 48277-0304

Bank Of America Box 17054 Wilmington, DE 19884 Discover Card P.O. Box 30943 Salt Lake City, UT 84130-0395 Saint Francis Hospital Box 220283 Chicago, IL 60622-0283

Bank Of America Box 15019 Wilmington, DE 19886-5019 Discover Card Box 30395 Salt Lake City, UT 84130-0395 Saint Francis Hospital-Evanston Box 220283 Chicago, IL 60622-0283

Capital One Bank, N.A. Box 6492 Carol Stream, IL 60197-6492 Discover Card Box 6103 Carol Stream, IL 60197-6103 Sam's Club Member Services Box 901084 El Paso, TX 79998-1084

Carson Pirie Scott Retail Services Box 15521 Wilmington, DE 19850-5521 Exxon Mobile Po Box 688940 Des Moines, IA 50368-8940

Sears Card P O Box 6922 The Lakes, NV 88901-6922 Case 09-12411 Doc 1 Filed 04/07/09 Entered 04/07/09 19:28:03 Desc Main Document Page 6 of 39

Sears Credit Cards Box 183082 Columbus, OH 43218-3082

Sears Gold Mastercard Box 183082 Columbus, OH 43218-3082

T-Mobile Box 742596 Cincinnati, OH 45274-2596

Target P O Box 59317 Minneapolis, MN 55459-0317

Total Rehab, P.C. Box 72180 Roselle, IL 60172

U S Bank Box 790408 St. Louis, MO 63179-0408

Victalia Moraga Basement Apartment 2338 West Lunt Avenue Chicago, IL 60645

Wells Fargo Financial Bank P O Box 98751 Las Vegas, NV 89193-8751

Case 09-12411 Doc 1 B1D (Official Form 1, Exhibit D) (12/08)

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Desc Main

Page 7 of 39 **United States Bankruptcy Court** 

Northern District of Illinois

| IN RE:         |                                | Case No                   |
|----------------|--------------------------------|---------------------------|
| Moraga, Rafael |                                | Chapter 7                 |
|                | Debtor(s)                      | • •                       |
|                | EVIIDIT D. INDIVIDITAL DEDTODA | C CTATEMENT OF COMDITANCE |

## INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose

whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities. Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed. 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency. 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed. 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.] If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing. 4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court 1

| ion for determination by the court.   |
|---|
| Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapabl of realizing and making rational decisions with respect to financial responsibilities.);        |
| Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.); |
| Active military duty in a military combat zone.   |
| 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(hes not apply in this district.   |
|   |

I certify under penalty of perjury that the information provided above is true and correct.

| Signature of Debtor: | /s/ Rafael Moraga |  |  |
|----------------------|-------------------|--|--|
| _                    |                   |  |  |

Date: April 7, 2009

Case 09-12411 Doc 1 B1D (Official Form 1, Exhibit D) (12/08)

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United States Bankruptcy Court
Northern District of Illinois

Desc Main

| Northeri   | 1 District of Hilinois   |
|--|--|
| IN RE:   | Case No  |
| Moraga, Vilma A.   | Chapter <b>7</b>   |
| Debtor(s)  |  |
|  | BTOR'S STATEMENT OF COMPLIANCE<br>UNSELING REQUIREMENT   |
| do so, you are not eligible to file a bankruptcy case, and th<br>whatever filing fee you paid, and your creditors will be ab   | five statements regarding credit counseling listed below. If you cannot be court can dismiss any case you do file. If that happens, you will lose le to resume collection activities against you. If your case is dismissed quired to pay a second filing fee and you may have to take extra steps   |
| Every individual debtor must file this Exhibit D. If a joint petiti one of the five statements below and attach any documents as   | on is filed, each spouse must complete and file a separate Exhibit D. Check directed.  |
| the United States trustee or bankruptcy administrator that out   | ey case, I received a briefing from a credit counseling agency approved by lined the opportunities for available credit counseling and assisted me in com the agency describing the services provided to me. Attach a copy of the through the agency.  |
| the United States trustee or bankruptcy administrator that out performing a related budget analysis, but I do not have a certification of the control of the | ey case, I received a briefing from a credit counseling agency approved by lined the opportunities for available credit counseling and assisted me in icate from the agency describing the services provided to me. You must file provided to you and a copy of any debt repayment plan developed through is filed.  |
|  | an approved agency but was unable to obtain the services during the five exigent circumstances merit a temporary waiver of the credit counseling are exigent circumstances here.]  |
| you file your bankruptcy petition and promptly file a certifi<br>of any debt management plan developed through the agend<br>case. Any extension of the 30-day deadline can be granted  | still obtain the credit counseling briefing within the first 30 days after cate from the agency that provided the counseling, together with a copy cy. Failure to fulfill these requirements may result in dismissal of your only for cause and is limited to a maximum of 15 days. Your case may asons for filing your bankruptcy case without first receiving a credit |
|  | because of: [Check the applicable statement.] [Must be accompanied by a  |
| <b>— 1 7</b>   | ired by reason of mental illness or mental deficiency so as to be incapable  |
| of realizing and making rational decisions with respect  Disability. (Defined in 11 U.S.C. § 109(h)(4) as physparticipate in a credit counseling briefing in person, by  Active military duty in a military combat zone.   | sically impaired to the extent of being unable, after reasonable effort, to  |

5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h)

I certify under penalty of perjury that the information provided above is true and correct.

Signature of Debtor: /s/ Vilma A. Moraga

Date: April 7, 2009

does not apply in this district.

## UNITED STATES BANKRUPTCY COURT

# NOTICE TO CONSUMER DEBTOR(S) UNDER § 342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order to ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a **joint case** (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a statement with the court requesting that each spouse receive a separate copy of all notices.

## 1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days before the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the course.

## 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

## Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total fee \$299)

- 1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.
- 2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.
- 3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.
- 4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

<u>Chapter 13</u>: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)

Page 2

Social Security number (If the bankruptcy

4/07/2009

Date

1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

## **Chapter 11:** Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

## Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

## 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

Printed Name and title, if any, of Bankruptcy Petition Preparer

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Case No. (if known)

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

## Certificate of [Non-Attorney] Bankruptcy Petition Preparer

I, the [non-attorney] bankruptcy petition preparer signing the debtor's petition, hereby certify that I delivered to the debtor this notice required by  $\S 342(b)$  of the Bankruptcy Code.

| Address:  |  | petition preparer is not an individual, state<br>the Social Security number of the officer,<br>principal, responsible person, or partner of<br>the bankruptcy petition preparer.) |
|---|--|---|
| X   |  | (Required by 11 U.S.C. § 110.)  |
| Signature of Bankruptcy Petition Preparer of officer, pri<br>partner whose Social Security number is provided above |  |   |
| $\mathbf{C} \boldsymbol{\varepsilon}$ I (We), the debtor(s), affirm that I (we) have received an                    | ertificate of the Debtor and read this notice. |   |
| Moraga, Rafael & Moraga, Vilma A. Printed Name(s) of Debtor(s)  | X /s/ Rafael Moraga Signature of Debto         | <b>4/07/2009</b> T Date   |

X /s/ Vilma A. Moraga

Signature of Joint Debtor (if any)

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Case 09-12411 Doc 1 Filed 04/07/09 Entered 04/07/09 19:28:03 Desc Main Document Page 11 of 39 United States Bankruptcy Court Northern District of Illinois

| IN | RE:  | Case No.  |                                       |
|----|--|---|---------------------------------------|
| Mo | oraga, Rafael & Moraga, Vilma A.   | Chapter 7   | ,                                     |
|    | De   | btor(s)   |                                       |
|    | DISCLOSURE (   | OF COMPENSATION OF ATTORNEY FOR DEI   | BTOR                                  |
| 1. |  | ale 2016(b), I certify that I am the attorney for the above-named debtor(s) a ptcy, or agreed to be paid to me, for services rendered or to be rendered on collows:   |                                       |
|    | For legal services, I have agreed to accept  |   | \$\$,695.00                           |
|    | Prior to the filing of this statement I have received  |   | \$\$,695.00                           |
|    | Balance Due  |   | \$ <b>0.00</b>                        |
| 2. | The source of the compensation paid to me was:   | Debtor Other (specify):   |                                       |
| 3. | The source of compensation to be paid to me is:  | Debtor Other (specify):   |                                       |
| 4. | I have not agreed to share the above-disclosed   | compensation with any other person unless they are members and associate  | es of my law firm.                    |
|    | I have agreed to share the above-disclosed contogether with a list of the names of the people                                  | mpensation with a person or persons who are not members or associates of sharing in the compensation, is attached.  | my law firm. A copy of the agreement, |
| 5. | In return for the above-disclosed fee, I have agreed   | to render legal service for all aspects of the bankruptcy case, including:  |                                       |
|    | <ul><li>b. Preparation and filing of any petition, schedul</li><li>c. Representation of the debtor at the meeting of</li></ul> | d rendering advice to the debtor in determining whether to file a petition in les, statement of affairs and plan which may be required; creditors and confirmation hearing, and any adjourned hearings thereof; recedings and other contested bankruptey matters; prince Fee Agreement. | bankruptcy;                           |
| 6. | By agreement with the debtor(s), the above disclos   |   |                                       |
|    | Representation pursuant to Sec. 523  | shall be billed at \$295.00 per hour.   |                                       |
|    |  |   |                                       |
|    |  | CERTIFICATION   |                                       |
|    | certify that the foregoing is a complete statement of roceeding.   | any agreement or arrangement for payment to me for representation of the  | debtor(s) in this bankruptcy          |
|    | April 7, 2009  | /s/ Timothy K. Liou   |                                       |
|    | Date   | Timothy K. Liou 06229724<br>Law Office Of Timothy K. Liou<br>575 West Madison Street, Suite 361   |                                       |

Chicago, IL 60661-2614

## ATTORNEY FEE AGREEMENT

Attorney is authorized to file a Chapter 7 petition on Client's behalf and Client agrees to pay Attorney the sum of \$2,695.00 as payment in full for all contemplated legal services to be rendered. Client further agrees to pay \$299.00 court costs by money order or cashier's check directly to "Clerk of Bankruptcy Court" before Attorney's filing of the petition. The contemplated legal services to be rendered are: determination of eligibility to file, preparation of a budget, consideration of Chapter 7 as a solution as opposed to Chapter 13, evaluating advantages and disadvantages of both Chapter 13 and Chapter 7, determining availability of regular income and the amount of disposable income, evaluating any non-dischargeable Chapter 7 debts and potential good-faith or other issues that may be raised by the Chapter 7 trustee, court, or creditors, preparation of schedules, review with Client prior to signing of prepared documents, telephone calls to Client for more complete information as is needed, and filing the petition with the Clerk of the Bankruptcy Court. Attorney will, prior to the first meeting of creditors, prepare Client for the meeting, and represent Client before the Chapter 7 trustee. Attorney's fees are competitive and comparable to charges made by attorneys on non-bankruptcy matters. This agreement is retroactive to cover all legal services described above that may have been provided before its signing, including, but not limited to, telephone conference(s), drafting solicitation letter(s) informing of bankruptcy as a legal option; etc., Legal recets), drafting so services not contemplated by the fees charged are: continued creditor's meetings caused by Client's failure to appear or to produce documentation requested by the trustee or any creditor, contested objections to discharge requiring a court hearing, contested hearing on objections to claims, adequate protection, hearing on any adversary matter, extended litigation, filing memorandums of law or briefs, proceedings filed for turnover orders, amendments to add additional creditors, conversion to Chapter 13, application to incur additional credit or application to buy or sell real estate. Attorney, upon Client's request, will appear on Client's behalf on any matter that affects Client's Chapter 7 case including any services not originally contemplated in this fee agreement. If so, Client will compensate Attorney for any additional services. Client retains no legal or equitable interest in the retainer and understands that fees paid under this agreement are for Attorney to be available to provide specific legal services when needed prior to and/or after filing the petition. Funds paid to Attorney prior to discharge are non-refundable to the extent earned and will be treated as income to the extent earned upon receipt, computed at Attorney's standard hourly rate of \$295.00. Client shall pay all fees and costs prior to Attorney filing the Chapter 7 petition with the Clerk of the Bankruptcy Court. Client agrees to pay \$65.00 to Attorney for processing each NSF check presented by Client to Attorney for payment of attorney fees. Client understands and agrees that Attorney's fees are payable whether the court dismisses the case or if Client directs Attorney not to file this case. Any balance due Attorney which is overdue 30 days or more shall bear late charges at 1.5% per month from the date shown hereon, together with reasonable Attorneys fees and court costs. If such late charges are disallowed by a court of competent jurisdiction, then said balance shall bear interest at the maximum rate allowed by law pursuant to 815 ILCS 205/4, together with reasonable Attorneys fees and court costs. Client acknowledges receiving a copy of this agreement.

ATTORNEY

CLIENT

HAKUL HIENT moraga

DATE:

DATE

B6 Summary (Form 6- Summary) (12/07) Doc 1

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**Northern District of Illinois** 

Desc Main

| IN RE:                            | Case No   |
|-----------------------------------|-----------|
| Moraga, Rafael & Moraga, Vilma A. | Chapter 7 |
| Debtor(s)                         |           |

## SUMMARY OF SCHEDULES

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors also must complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

| NAME OF SCHEDULE   | ATTACHED<br>(YES/NO) | NUMBER OF<br>SHEETS | ASSETS        | LIABILITIES   | OTHER       |
|--|----------------------|---------------------|---------------|---------------|-------------|
| A - Real Property  | Yes                  | 1                   | \$ 420,000.00 |               |             |
| B - Personal Property  | Yes                  | 3                   | \$ 12,238.00  |               |             |
| C - Property Claimed as Exempt   | Yes                  | 1                   |               |               |             |
| D - Creditors Holding Secured Claims   | Yes                  | 1                   |               | \$ 413,410.00 |             |
| E - Creditors Holding Unsecured Priority<br>Claims (Total of Claims on Schedule E) | Yes                  | 1                   |               | \$ 0.00       |             |
| F - Creditors Holding Unsecured<br>Nonpriority Claims                              | Yes                  | 6                   |               | \$ 155,154.46 |             |
| G - Executory Contracts and Unexpired<br>Leases                                    | Yes                  | 1                   |               |               |             |
| H - Codebtors  | Yes                  | 1                   |               |               |             |
| I - Current Income of Individual Debtor(s)   | Yes                  | 2                   |               |               | \$ 5,024.04 |
| J - Current Expenditures of Individual Debtor(s)                                   | Yes                  | 1                   |               |               | \$ 5,014.79 |
|  | TOTAL                | 18                  | \$ 432,238.00 | \$ 568,564.46 |             |

Form 6 - Statistical Summary (12/07) Doc 1

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| IN RE:                            | Case No   |
|-----------------------------------|-----------|
| Moraga, Rafael & Moraga, Vilma A. | Chapter 7 |
| Debtor(s)                         | •         |

## STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C. § 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below.

Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

This information is for statistical purposes only under 28 U.S.C. § 159.

Summarize the following types of liabilities, as reported in the Schedules, and total them.

| Type of Liability   | Amount     |
|---|------------|
| Domestic Support Obligations (from Schedule E)  | \$<br>0.00 |
| Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)  | \$<br>0.00 |
| Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed) | \$<br>0.00 |
| Student Loan Obligations (from Schedule F)  | \$<br>0.00 |
| Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E                   | \$<br>0.00 |
| Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)                           | \$<br>0.00 |
| TOTAL   | \$<br>0.00 |

## State the following:

| Average Income (from Schedule I, Line 16)   | \$<br>5,024.04 |
|---|----------------|
| Average Expenses (from Schedule J, Line 18)   | \$<br>5,014.79 |
| Current Monthly Income (from Form 22A Line 12; <b>OR</b> , Form 22B Line 11; <b>OR</b> , Form 22C |                |
| Line 20)  | \$<br>4,745.63 |

## **State the following:**

| 1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column               |         | \$<br>7,745.00   |
|--|---------|------------------|
| 2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column.            | \$ 0.00 |                  |
| 3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column |         | \$<br>0.00       |
| 4. Total from Schedule F   |         | \$<br>155,154.46 |
| 5. Total of non-priority unsecured debt (sum of 1, 3, and 4)               |         | \$<br>162,899.46 |

| B6A (Official Form 8A) (12/07)2411 | Doc 1 |
|------------------------------------|-------|
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(If known)

IN RE Moraga, Rafael & Moraga, Vilma A

Case No.

Debtor(s)

## **SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether the husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim."

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

| DESCRIPTION AND LOCATION OF PROPERTY   | NATURE OF DEBTOR'S<br>INTEREST IN PROPERTY | HUSBAND, WIFE, JOINT,<br>OR COMMUNITY | CURRENT VALUE OF<br>DEBTORS INTEREST IN<br>PROPERTY WITHOUT<br>DEDUCTING ANY<br>SECURED CLAIM OR<br>EXEMPTION | AMOUNT OF SECURED<br>CLAIM |
|--|--|---------------------------------------|---|----------------------------|
| Debtor's primary residence commonly known as 2338 West<br>Lunt Avenue, Chicago, IL 60645 |  | J                                     | 420,000.00  | 395,800.00                 |
|  |  |                                       |   |                            |
|  |  |                                       |   |                            |
|  |  |                                       |   |                            |
|  |  |                                       |   |                            |
|  |  |                                       |   |                            |
|  |  |                                       |   |                            |
|  |  |                                       |   |                            |
|  |  |                                       |   |                            |

TOTAL

420,000.00

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|------------------------------------|-------|
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IN RE Moraga, Rafael & Moraga, Vilma A

Case No.

Debtor(s)

(If known)

## **SCHEDULE B - PERSONAL PROPERTY**

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether the husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

|     | TYPE OF PROPERTY  | N<br>O<br>N<br>E | DESCRIPTION AND LOCATION OF PROPERTY                      | HUSBAND, WIFE, JOINT,<br>OR COMMUNITY | CURRENT VALUE OF<br>DEBTOR'S INTEREST IN<br>PROPERTY WITHOUT<br>DEDUCTING ANY<br>SECURED CLAIM OR<br>EXEMPTION |
|-----|---|------------------|---|---------------------------------------|--|
| 1.  | Cash on hand.   | Х                |   |                                       |  |
| 2.  | Checking, savings or other financial  |                  | Checking account held by Chase Bank                       | W                                     | 200.00   |
|     | accounts, certificates of deposit or<br>shares in banks, savings and loan,  |                  | Checking account held by Chase Bank                       | Н                                     | 173.00   |
|     | thrift, building and loan, and<br>homestead associations, or credit   |                  | Savings account held by Bank of America                   | W                                     | 500.00   |
|     | unions, brokerage houses, or cooperatives.  |                  | Savings account held by US Bank                           | Н                                     | 100.00   |
| 3.  | Security deposits with public utilities, telephone companies, landlords, and others.  | Х                |   |                                       |  |
| 4.  | Household goods and furnishings, include audio, video, and computer equipment.  |                  | Miscellaneous depreciated household goods and furnishings |                                       | 1,000.00   |
| 5.  | Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.  | X                |   |                                       |  |
| 6.  | Wearing apparel.  |                  | Necessary wearing apparel and shoes                       |                                       | 400.00   |
| 7.  | Furs and jewelry.   | X                |   |                                       |  |
| 8.  | Firearms and sports, photographic, and other hobby equipment.   | X                |   |                                       |  |
| 9.  | Interest in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.  | X                |   |                                       |  |
| 10. | Annuities. Itemize and name each issue.   | Х                |   |                                       |  |
| 11. | Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).) | X                |   |                                       |  |
| 12. | Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.   | X                |   |                                       |  |
| 13. | Stock and interests in incorporated and unincorporated businesses. Itemize.   | Х                |   |                                       |  |
| 14. | Interests in partnerships or joint ventures. Itemize.   | X                |   |                                       |  |
|     |   |                  |   |                                       |  |

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IN RE Moraga, Rafael & Moraga, Vilma A.

\_ Case No. \_

Debtor(s)

(If known)

## SCHEDULE B - PERSONAL PROPERTY (Continuation Sheet)

|     | TYPE OF PROPERTY  | N<br>O<br>N<br>E | DESCRIPTION AND LOCATION OF PROPERTY | HUSBAND, WIFE, JOINT,<br>OR COMMUNITY | CURRENT VALUE OF<br>DEBTOR'S INTEREST IN<br>PROPERTY WITHOUT<br>DEDUCTING ANY<br>SECURED CLAIM OR<br>EXEMPTION |
|-----|---|------------------|--------------------------------------|---------------------------------------|--|
| 15. | Government and corporate bonds and other negotiable and non-negotiable instruments.   | Х                |                                      |                                       |  |
| 16. | Accounts receivable.  | Х                |                                      |                                       |  |
| 17. | Alimony, maintenance, support, and property settlements in which the debtor is or may be entitled. Give particulars.  | X                |                                      |                                       |  |
| 18. | Other liquidated debts owed to debtor including tax refunds. Give particulars.  | Х                |                                      |                                       |  |
| 19. | Equitable or future interest, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.   | X                |                                      |                                       |  |
| 20. | Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.  | Х                |                                      |                                       |  |
| 21. | Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.  | X                |                                      |                                       |  |
| 22. | Patents, copyrights, and other intellectual property. Give particulars.   | Х                |                                      |                                       |  |
| 23. | Licenses, franchises, and other general intangibles. Give particulars.  | Х                |                                      |                                       |  |
| 24. | Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes. | X                |                                      |                                       |  |
| 25. | Automobiles, trucks, trailers, and other vehicles and accessories.  |                  | 2005 Dodge Durango with 50k miles    | J                                     | 9,865.00   |
| 26. | Boats, motors, and accessories.   | X                |                                      |                                       |  |
| 27. | Aircraft and accessories.   | X                |                                      |                                       |  |
| 28. | Office equipment, furnishings, and supplies.  | X                |                                      |                                       |  |
| 29. | Machinery, fixtures, equipment, and supplies used in business.  | X                |                                      |                                       |  |
| 30. | Inventory.  | X                |                                      |                                       |  |
| 31. | Animals.  | X                |                                      |                                       |  |
| 32. | Crops - growing or harvested. Give particulars.   | Х                |                                      |                                       |  |
|     |   |                  |                                      |                                       |  |

| B6B (Official Forms B) $(12/\overline{07})^2$ Cont. | Doc 1 | Filed 0 |
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| DOD (Official Form OD) (12/07) Conta                |       | D       |

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Debtor(s)

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(If known)

IN RE Moraga, Rafael & Moraga, Vilma A.

Case No. \_

## SCHEDULE B - PERSONAL PROPERTY (Continuation Sheet)

| TYPE OF PROPERTY   | N<br>O<br>N<br>E | DESCRIPTION AND LOCATION OF PROPERTY | HUSBAND, WIFE, JOINT,<br>OR COMMUNITY | CURRENT VALUE OF<br>DEBTOR'S INTEREST IN<br>PROPERTY WITHOUT<br>DEDUCTING ANY<br>SECURED CLAIM OR<br>EXEMPTION |
|--|------------------|--------------------------------------|---------------------------------------|--|
| 33. Farming equipment and implements.                                | X                |                                      |                                       |  |
| 34. Farm supplies, chemicals, and feed.                              | X                |                                      |                                       |  |
| 35. Other personal property of any kind not already listed. Itemize. | X                |                                      |                                       |  |
|  |                  | TO                                   | ΓAL                                   | 12,238.00  |

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(If known)

IN RE Moraga, Rafael & Moraga, Vilma A.

\_\_\_\_\_ Case No. \_

## SCHEDULE C - PROPERTY CLAIMED AS EXEMPT

Debtor elects the exemptions to which debtor is entitled under: (Check one box)

☐ Check if debtor claims a homestead exemption that exceeds \$136,875.

11 U.S.C. § 522(b)(2) 11 U.S.C. § 522(b)(3)

| DESCRIPTION OF PROPERTY   | SPECIFY LAW PROVIDING EACH EXEMPTION           | VALUE OF CLAIMED EXEMPTION | CURRENT VALUE OF PROPERTY WITHOUT DEDUCTING EXEMPTIONS |
|---|--|----------------------------|--|
| SCHEDULE A - REAL PROPERTY  |  |                            |  |
| Debtor's primary residence commonly<br>known as 2338 West Lunt Avenue,<br>Chicago, IL 60645 | 735 ILCS 5/12-901                              | 30,000.00                  | 420,000.00   |
| SCHEDULE B - PERSONAL PROPERTY  |  |                            |  |
| Checking account held by Chase Bank   | 735 ILCS 5/12-1001(b)                          | 200.00                     | 200.00   |
| Checking account held by Chase Bank   | 735 ILCS 5/12-1001(b)                          | 173.00                     | 173.00   |
| Savings account held by Bank of America   | 735 ILCS 5/12-1001(b)                          | 500.00                     | 500.00   |
| Savings account held by US Bank   | 735 ILCS 5/12-1001(b)                          | 100.00                     | 100.00   |
| Miscellaneous depreciated household goods and furnishings                                   | 735 ILCS 5/12-1001(b)                          | 1,000.00                   | 1,000.00   |
| Necessary wearing apparel and shoes   | 735 ILCS 5/12-1001(a)                          | 400.00                     | 400.00   |
| 2005 Dodge Durango with 50k miles   | 735 ILCS 5/12-1001(c)<br>735 ILCS 5/12-1001(b) | 4,800.00<br>5,427.00       | 9,865.00   |
|   |  |                            |  |
|   |  |                            |  |
|   |  |                            |  |
|   |  |                            |  |
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|   |  |                            |  |
|   |  |                            |  |

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IN RE Moraga, Rafael & Moraga, Vilma A

Debtor(s)

Case No. \_\_\_\_\_(If known)

## SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is the creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H – Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim Without Deducting Value of Collateral" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion, if Any" on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

| CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND ACCOUNT NUMBER. (See Instructions Above.) | CODEBTOR | HUSBAND, WIFE, JOINT,<br>OR COMMUNITY | DATE CLAIM WAS INCURRED,<br>NATURE OF LIEN, AND DESCRIPTION AND VALUE OF<br>PROPERTY SUBJECT TO LIEN | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT OF<br>CLAIM WITHOUT<br>DEDUCTING<br>VALUE OF<br>COLLATERAL | UNSECURED<br>PORTION, IF ANY |
|--|----------|---------------------------------------|--|------------|--------------|----------|---|------------------------------|
| ACCOUNT NO. 149527987  |          | J                                     | Mortgage on Debtor's primary residence;  |            |              |          | 346,762.00  |                              |
| Countrywide Home Lending<br>450 American St Credit Reporting S<br>Simi Valley, CA 93065              |          |                                       | no arrears   |            |              |          |   |                              |
|  |          |                                       | VALUE \$ <b>420,000.00</b>   |            |              |          |   |                              |
| ACCOUNT NO. 149692263  |          | J                                     | Second mortgage on Debtor's primary  |            |              |          | 49,038.00   |                              |
| Countrywide Home Lending<br>450 American St Credit Reporting S<br>Simi Valley, CA 93065              |          |                                       | residence; no arrears  |            |              |          |   |                              |
|  |          |                                       | VALUE \$ <b>420,000.00</b>   |            |              |          |   |                              |
| ACCOUNT NO. 430008487786-01  |          | J                                     | Title to 2005 Dodge Durango; contractual   |            |              |          | 17,610.00   | 7,745.00                     |
| Navy Federal Credit Union<br>Box 3000<br>Merrifield, VA 22119-3000                                   |          |                                       | monthly payment was \$412.80   |            |              |          |   |                              |
|  |          |                                       | VALUE \$ 9,865.00  |            |              |          |   |                              |
| ACCOUNT NO.  |          |                                       |  |            |              |          |   |                              |
|  |          |                                       | VALUE \$   |            |              |          |   |                              |
| ocntinuation sheets attached   |          |                                       | (Total of th   |            | otota        |          | \$ 413,410.00   | \$ 7,745.00                  |
|  |          |                                       | (Use only on la  |            | Fota<br>age  |          | \$ 413,410.00   | \$ 7,745.00                  |

(Report also on Summary of Schedules.) (If applicable, report also on Statistical Summary of Certain Liabilities and Related Data.)

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IN RE Moraga, Rafael & Moraga, Vilma A

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Debtor(s)

Case No. \_\_\_\_\_(If known)

## SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

| Stat  | istical Julilliary of Certain Labilities and Related Data.  |
|-------|---|
| liste | eport the total of amounts <u>not</u> entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority d on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on Statistical Summary of Certain Liabilities and Related Data.        |
| V     | Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.   |
| ΤY    | PES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)   |
|       | <b>Domestic Support Obligations</b> Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).   |
|       | Extensions of credit in an involuntary case Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).   |
|       | Wages, salaries, and commissions Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,950* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4). |
|       | Contributions to employee benefit plans  Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).   |
|       | Certain farmers and fishermen Claims of certain farmers and fishermen, up to \$5,400* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).  |
|       | <b>Deposits by individuals</b> Claims of individuals up to \$2,425* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).   |
|       | Taxes and Certain Other Debts Owed to Governmental Units  Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).   |
|       | Commitments to Maintain the Capital of an Insured Depository Institution  Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).  |
|       | Claims for Death or Personal Injury While Debtor Was Intoxicated Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).   |
|       | * Amounts are subject to adjustment on April 1, 2010, and every three years thereafter with respect to cases commenced on or after the date of adjustment.  |
|       | O continuation sheets attached  |

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(If known)

IN RE Moraga, Rafael & Moraga, Vilma A

Debtor(s)

Case No.

## SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured nonpriority claims to report on this Schedule F.

|  |          |                                       |  |            |              | _        |                       |
|--|----------|---------------------------------------|--|------------|--------------|----------|-----------------------|
| CREDITOR'S NAME, MAILING ADDRESS<br>INCLUDING ZIP CODE, AND ACCOUNT NUMBER.<br>(See Instructions Above.) | CODEBTOR | HUSBAND, WIFE, JOINT,<br>OR COMMUNITY | DATE CLAIM WAS INCURRED AND<br>CONSIDERATION FOR CLAIM. IF CLAIM IS<br>SUBJECT TO SETOFF, SO STATE   | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT<br>OF<br>CLAIM |
| ACCOUNT NO. XXX41016   |          |                                       | charge   |            |              |          |                       |
| American Express<br>Box 981537<br>El Paso, TX 79998-1537   |          |                                       |  |            |              |          | 1,908.89              |
| ACCOUNT NO. <b>3717-448760-02001</b>   |          | W                                     | charge   |            |              |          |                       |
| American Express<br>Box 0001<br>Los Angeles, CA 90096-8000   |          |                                       |  |            |              |          | 3,628.63              |
| ACCOUNT NO. <b>AUS-8100110</b>   |          | Н                                     | medical services   |            |              |          | •                     |
| Austin Anesthesia, LLC<br>Box 570<br>Lake Forest, IL 60045   |          |                                       |  |            |              |          | 1,372.50              |
| ACCOUNT NO.  |          |                                       | Assignee or other notification for:  |            |              | +        | 1,012.00              |
| Certified Services, Inc.<br>Box 177<br>Waukegan, IL 60079-0177   |          |                                       | Austin Anesthesia, LLC   |            |              |          |                       |
| <b>5</b>   |          |                                       |  | Subt       |              |          | § 6,910.02            |
| 5 continuation sheets attached   |          |                                       | (Total of th   | _          | age<br>ota   | - t      | \$ 6,910.02           |
|  |          |                                       | (Use only on last page of the completed Schedule F. Report   | also       | 01           | n        |                       |
|  |          |                                       | the Summary of Schedules and, if applicable, on the St<br>Summary of Certain Liabilities and Related |            |              |          | \$                    |
|  |          |                                       | , ,  |            |              | 4 1      |                       |

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Debtor(s)

(If known)

# SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS (Continuation Sheet)

|  |          | (                                     | Continuation Sheet)  |                             |                            |               |                       |
|--|----------|---------------------------------------|--|-----------------------------|----------------------------|---------------|-----------------------|
| CREDITOR'S NAME, MAILING ADDRESS<br>INCLUDING ZIP CODE, AND ACCOUNT NUMBER.<br>(See Instructions Above.) | CODEBTOR | HUSBAND, WIFE, JOINT,<br>OR COMMUNITY | DATE CLAIM WAS INCURRED AND<br>CONSIDERATION FOR CLAIM. IF CLAIM IS<br>SUBJECT TO SETOFF, SO STATE   | CONTINGENT                  | UNLIQUIDATED               | DISPUTED      | AMOUNT<br>OF<br>CLAIM |
| ACCOUNT NO. 4888-9200-1352-7328  |          | Н                                     | charge   | H                           |                            | Ħ             |                       |
| Bank Of America Box 17054 Wilmington, DE 19884   |          |                                       |  |                             |                            |               | 7,912.52              |
| ACCOUNT NO. 4800-1140-1622-4316  |          | W                                     | charge   |                             |                            |               | 7,312.02              |
| Bank Of America<br>Box 15019<br>Wilmington, DE 19886-5019  |          |                                       |  |                             |                            |               | 254.04                |
| ACCOUNT NO. 4800-1190-1628-1620  |          | w                                     | charge   |                             |                            | 1             | 851.04                |
| Bank Of America<br>Box 15019<br>Wilmington, DE 19886-5019  |          |                                       |  |                             |                            |               | 2 697 62              |
| ACCOUNT NO. <b>5178-0525-2666-1547</b>   |          | W                                     | charge   |                             |                            |               | 3,687.63              |
| Capital One Bank, N.A.<br>Box 6492<br>Carol Stream, IL 60197-6492  |          |                                       |  |                             |                            |               |                       |
| ACCOUNT NO. 10-1835-7181   |          |                                       | charge   |                             |                            |               | 4,329.61              |
| Carson Pirie Scott<br>Retail Services<br>Box 15521<br>Wilmington, DE 19850-5521                          |          |                                       |  |                             |                            |               | 470.50                |
| ACCOUNT NO. <b>4357-8752-7024-9309</b>   |          |                                       | charge   | H                           |                            |               | 173.52                |
| Chase<br>Box 15153<br>Wilmington, DE 19886-5153  | -        |                                       |  |                             |                            |               | 4 4 4 4 9 9           |
| ACCOUNT NO. <b>4266-8411-9738-0007</b>   |          |                                       | charge   | $\vdash$                    |                            | $\dashv$      | 4,111.32              |
| Chase<br>Box 15153<br>Wilmington, DE 19886-5153  |          |                                       |  |                             |                            |               |                       |
| Sheet no. 1 of 5 continuation sheets attached to   |          |                                       |  | Sub                         | tot                        |               | 796.34                |
| Schedule of Creditors Holding Unsecured Nonpriority Claims   |          |                                       | (Total of the (Use only on last page of the completed Schedule F. Report the Summary of Schedules, and if applicable, on the Summary of Certain Liabilities and Relate | is p<br>T<br>t als<br>tatis | age<br>Fota<br>o o<br>tica | e)<br>al<br>n | \$ 21,861.98<br>\$    |

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IN RE Moraga, Rafael & Moraga, Vilma A.

Debtor(s)

\_ Case No. \_ (If known)

|  |          | (•                                    | Continuation Sneet)   |            |              |                           |                       |
|--|----------|---------------------------------------|---|------------|--------------|---------------------------|-----------------------|
| CREDITOR'S NAME, MAILING ADDRESS<br>INCLUDING ZIP CODE, AND ACCOUNT NUMBER.<br>(See Instructions Above.) | CODEBTOR | HUSBAND, WIFE, JOINT,<br>OR COMMUNITY | DATE CLAIM WAS INCURRED AND<br>CONSIDERATION FOR CLAIM. IF CLAIM IS<br>SUBJECT TO SETOFF, SO STATE  | CONTINGENT | UNLIQUIDATED | DISPUTED                  | AMOUNT<br>OF<br>CLAIM |
| ACCOUNT NO. 4266-8411-8705-5742  |          | w                                     | charge  | П          |              |                           |                       |
| Chase<br>Box 15153<br>Wilmington, DE 19886-5153  |          |                                       |   |            |              |                           | 1,907.00              |
| ACCOUNT NO. <b>5401-6830-6360-9298</b>   |          | W                                     | charge  |            |              |                           | 1,307.00              |
| Chase<br>Box 15153<br>Wilmington, DE 19886-5153  |          |                                       |   |            |              |                           |                       |
| ACCOUNT NO. XXX3902  |          |                                       | charge  |            |              |                           | 3,770.77              |
| Citgo Processing Ctr Des Moines, IA 50362  | •        |                                       |   |            |              |                           | 2,135.56              |
| ACCOUNT NO. <b>5424-1805-4715-2360</b>   |          | W                                     | charge  |            |              |                           | 2,133.30              |
| Citi Cards<br>Box 688915<br>Des Moines, IA 50368-8911  |          |                                       |   |            |              |                           |                       |
| ACCOUNT NO. <b>4128-0040-4188-2854</b>   |          |                                       | charge  |            |              |                           | 19,065.74             |
| Citi Platinum Select Card<br>Box 6017<br>The Lakes, NV 89163-6017  | -        |                                       |   |            |              |                           | 9,665.64              |
| ACCOUNT NO. <b>5424-1805-5956-5798</b>   |          |                                       | charge  |            |              |                           | 9,005.04              |
| Citi Platinum Select Card<br>Box 6017<br>The Lakes, NV 89163-6017  |          |                                       |   |            |              |                           | 11,934.05             |
| ACCOUNT NO. XXX6424  |          |                                       | charge  |            |              |                           | 11,534.03             |
| Discover Card<br>P.O. Box 30943<br>Salt Lake City, UT 84130-0395   |          |                                       |   |            |              |                           | 0.400.00              |
| Sheet no. <b>2</b> of <b>5</b> continuation sheets attached to   |          |                                       |   | Sub        | tota         | $\bigsqcup_{\mathrm{al}}$ | 9,490.29              |
| Schedule of Creditors Holding Unsecured Nonpriority Claims   |          |                                       | (Total of th  | is p       |              | 9)                        | \$ 57,969.05          |
|  |          |                                       | (Use only on last page of the completed Schedule F. Repor<br>the Summary of Schedules, and if applicable, on the S<br>Summary of Certain Liabilities and Relate | als        | o o<br>tica  | n<br>al                   | \$                    |

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(If known)

IN RE Moraga, Rafael & Moraga, Vilma A.

Debtor(s)

\_ Case No. \_

|  |          | (1                                    | Continuation Sneet)   |              |              |          |                       |
|--|----------|---------------------------------------|---|--------------|--------------|----------|-----------------------|
| CREDITOR'S NAME, MAILING ADDRESS<br>INCLUDING ZIP CODE, AND ACCOUNT NUMBER.<br>(See Instructions Above.) | CODEBTOR | HUSBAND, WIFE, JOINT,<br>OR COMMUNITY | DATE CLAIM WAS INCURRED AND<br>CONSIDERATION FOR CLAIM. IF CLAIM IS<br>SUBJECT TO SETOFF, SO STATE  | CONTINGENT   | UNLIQUIDATED | DISPUTED | AMOUNT<br>OF<br>CLAIM |
| ACCOUNT NO. XXX8317  |          |                                       | charge  | П            |              | П        |                       |
| Discover Card<br>Box 30395<br>Salt Lake City, UT 84130-0395  |          |                                       |   |              |              |          | 12,877.33             |
| ACCOUNT NO. XXX4245  |          | w                                     | charge  | П            |              | Н        | 12,011100             |
| Discover Card Box 6103 Carol Stream, IL 60197-6103   |          |                                       |   |              |              |          | 5 004 00              |
| ACCOUNT NO. <b>7302-8573-0110-2375</b>   |          | W                                     | charge  |              |              | Н        | 5,904.89              |
| Exxon Mobile Po Box 688940 Des Moines, IA 50368-8940   |          |                                       | g-  |              |              |          | 1,104.83              |
| ACCOUNT NO. <b>125-069-937-6</b>   |          |                                       | charge  |              |              | Н        | 1,104.63              |
| JC Penney<br>Box 960090<br>Orlando, FL 32896-0090  |          |                                       |   |              |              |          |                       |
| ACCOUNT NO. XXX0229  | H        |                                       | charge  | H            |              | Н        | 1,397.01              |
| Marathon   |          |                                       |   |              |              |          |                       |
|  |          |                                       |   |              |              |          | 533.09                |
| ACCOUNT NO. 3942A1109  |          | Н                                     | medical services  |              |              |          |                       |
| Orthopaedics Of The North Shore<br>Box 10177<br>Uniondale, NY 11555-0177                                 |          |                                       |   |              |              |          | 698.00                |
| ACCOUNT NO. <b>316-922-145</b>   | H        | W                                     | charge  | $\Box$       |              | Н        | 030.00                |
| Phillips 66-Conoco-76<br>Box 689140<br>Des Moines, IA 50368-9140   |          |                                       |   |              |              |          |                       |
| Sheet no. <b>3</b> of <b>5</b> continuation sheets attached to   |          |                                       |   | Sub          | tota         | Щ        | 1,372.94              |
| Schedule of Creditors Holding Unsecured Nonpriority Claims   |          |                                       | (Total of th  | is p         | age          | (;       | \$ 23,888.09          |
|  |          |                                       | (Use only on last page of the completed Schedule F. Repor<br>the Summary of Schedules, and if applicable, on the S<br>Summary of Certain Liabilities and Relate | als<br>tatis | tica         | n<br>al  | \$                    |

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IN RE Moraga, Rafael & Moraga, Vilma A.

Debtor(s)

\_ Case No. \_ (If known)

|   |          | (1                                    | Continuation Sneet)   |              |              |          |                       |
|---|----------|---------------------------------------|---|--------------|--------------|----------|-----------------------|
| CREDITOR'S NAME, MAILING ADDRESS<br>INCLUDING ZIP CODE, AND ACCOUNT NUMBER.<br>(See Instructions Above.)    | CODEBTOR | HUSBAND, WIFE, JOINT,<br>OR COMMUNITY | DATE CLAIM WAS INCURRED AND<br>CONSIDERATION FOR CLAIM. IF CLAIM IS<br>SUBJECT TO SETOFF, SO STATE  | CONTINGENT   | UNLIQUIDATED | DISPUTED | AMOUNT<br>OF<br>CLAIM |
| ACCOUNT NO. 4870733   |          | J                                     | medical service   |              |              |          |                       |
| Sain Francis Hospital<br>C/O Miramed Revenue Group, LLC<br>Box 77000, Dept. 77304<br>Detroit, MI 48277-0304 |          |                                       |   |              |              |          | 57.42                 |
| ACCOUNT NO. <b>G0735800018</b>  |          | Н                                     | medical services  |              |              |          |                       |
| Saint Francis Hospital<br>Box 220283<br>Chicago, IL 60622-0283  | -        |                                       |   |              |              |          | 57.42                 |
| ACCOUNT NO.   |          |                                       | Assignee or other notification for:   | $\vdash$     |              |          |                       |
| MiraMed Revenue Group Dept. 77304 Box 77000 Detroit, MI 48277-0304  |          |                                       | Saint Francis Hospital  |              |              |          |                       |
| ACCOUNT NO. <b>G08275-00070</b>   |          | Н                                     | medical services  |              |              |          |                       |
| Saint Francis Hospital-Evanston<br>Box 220283<br>Chicago, IL 60622-0283                                     |          |                                       |   |              |              |          |                       |
| ACCOUNT NO. <b>G08306-00256</b>   |          | Н                                     | medical services  |              |              |          | 15,423.00             |
| Saint Francis Hospital-Evanston Box 220283 Chicago, IL 60622-0283   | -        | ••                                    |   |              |              |          | 376.00                |
| ACCOUNT NO. <b>7714110585383078</b>   |          |                                       | charge  |              |              |          | 370.00                |
| Sam's Club<br>Member Services<br>Box 901084<br>El Paso, TX 79998-1084                                       | 1        |                                       |   |              |              |          | 304.29                |
| ACCOUNT NO. <b>5049-9480-6808-3452</b>  |          | Н                                     | charge  |              |              |          | 304120                |
| Sears Card<br>P O Box 6922<br>The Lakes, NV 88901-6922  | 1        |                                       |   |              |              |          |                       |
| Short no. A of 5 continued in the start of the  | <u> </u> |                                       |   | C1.          | L.           |          | 371.89                |
| Sheet no. 4 of 5 continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims |          |                                       | (Total of th  | _            | age          | e)       | \$ 16,590.02          |
|   |          |                                       | (Use only on last page of the completed Schedule F. Repor<br>the Summary of Schedules, and if applicable, on the S<br>Summary of Certain Liabilities and Relate | als<br>tatis | stic         | n<br>al  | \$                    |

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(If known)

IN RE Moraga, Rafael & Moraga, Vilma A.

Debtor(s)

\_ Case No. \_

|  |          | (                                     | Continuation Sheet)  |                             |                             |                     |                               |
|--|----------|---------------------------------------|--|-----------------------------|-----------------------------|---------------------|-------------------------------|
| CREDITOR'S NAME, MAILING ADDRESS<br>INCLUDING ZIP CODE, AND ACCOUNT NUMBER.<br>(See Instructions Above.) | CODEBTOR | HUSBAND, WIFE, JOINT,<br>OR COMMUNITY | DATE CLAIM WAS INCURRED AND<br>CONSIDERATION FOR CLAIM. IF CLAIM IS<br>SUBJECT TO SETOFF, SO STATE   | CONTINGENT                  | UNLIQUIDATED                | DISPUTED            | AMOUNT<br>OF<br>CLAIM         |
| ACCOUNT NO. <b>5121-0718-0047-0456</b>   |          | w                                     | charge   | H                           |                             | H                   |                               |
| Sears Credit Cards Box 183082 Columbus, OH 43218-3082  | -        |                                       |  |                             |                             |                     | 360.55                        |
| ACCOUNT NO. <b>5121-0718-0047-0456</b>   |          | J                                     | Charge   | H                           |                             | Н                   | 360.33                        |
| Sears Gold Mastercard<br>Box 183082<br>Columbus, OH 43218-3082   | -        |                                       | onui ge  |                             |                             |                     | 385.10                        |
| ACCOUNT NO. 1067   |          |                                       | cell phone services  | $\vdash$                    |                             | H                   | 303.10                        |
| T-Mobile<br>Box 742596<br>Cincinnati, OH 45274-2596  | -        |                                       |  |                             |                             |                     | 4 070 70                      |
| ACCOUNT NO. <b>34635296</b>  |          | J                                     | Charge   |                             |                             |                     | 1,072.73                      |
| Target<br>P O Box 59317<br>Minneapolis, MN 55459-0317  |          |                                       |  |                             |                             |                     | 400.54                        |
| ACCOUNT NO. <b>0550052757</b>  |          | Н                                     | medical services   |                             |                             | Н                   | 136.51                        |
| Total Rehab, P.C. Box 72180 Roselle, IL 60172  | -        |                                       |  |                             |                             |                     | 450.00                        |
| ACCOUNT NO. 4428-2823-0116-7375  |          | w                                     | charge   |                             |                             |                     | 450.00                        |
| U S Bank<br>Box 790408<br>St. Louis, MO 63179-0408   | •        |                                       |  |                             |                             |                     |                               |
| ACCOUNT NO. <b>4071-1000-0081-5922</b>   |          |                                       | charge   |                             |                             |                     | 15,764.61                     |
| Wells Fargo Financial Bank P O Box 98751 Las Vegas, NV 89193-8751  | 1        |                                       | onal ge  |                             |                             |                     | 0.705.00                      |
| Sheet no. 5 of 5 continuation sheets attached to   |          |                                       |  | L<br>Sub                    | tota                        | al                  | 9,765.80                      |
| Schedule of Creditors Holding Unsecured Nonpriority Claims   |          |                                       | (Total of the (Use only on last page of the completed Schedule F. Reporthe Summary of Schedules, and if applicable, on the Summary of Certain Liabilities and Relate | is p<br>T<br>t als<br>tatis | age<br>Fota<br>o o<br>stica | e)<br>al<br>n<br>al | \$ 27,935.30<br>\$ 155,154.46 |

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Debtor(s)

(If known)

## SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

| NAME AND MAILING ADDRESS, INCLUDING ZIP CODE<br>OF OTHER PARTIES TO LEASE OR CONTRACT | DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF DEBTOR'S INTERES<br>STATE WHETHER LEASE IS FOR NONRESIDENTIAL REAL PROPERTY.<br>STATE CONTRACT NUMBER OF ANY GOVERNMENT CONTRACT. |
|---|--|
| talia Moraga<br>sement Apartment<br>88 West Lunt Avenue<br>icago, IL 60645            | Oral leasehold tenancy for \$1,200.00 per month  |
|   |  |
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Debtor(s)

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IN RE Moraga, Rafael & Moraga, Vilma A.

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## **SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by the debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight-year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Check this box if debtor has no codebtors.

| NAME AND ADDRESS OF CODEBTOR | NAME AND ADDRESS OF CREDITOR |
|------------------------------|------------------------------|
|                              |                              |
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(If known)

IN RE Moraga, Rafael & Moraga, Vilma A

Case No. Debtor(s)

## SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on From 22A, 22B, or 22C.

| Debtor's Marital Status          |   | DEPENDENTS OF DEBTOR AND SPOUSE |   |                  |               |
|----------------------------------|---|---------------------------------|---|------------------|---------------|
| Married                          | RELATIONSHIP(S):                        |                                 |   | AGI              | E(S):         |
|                                  |   |                                 |   |                  |               |
|                                  |   |                                 |   |                  |               |
|                                  |   |                                 |   |                  |               |
|                                  |   |                                 |   |                  |               |
| EMPLOYMENT:                      | DEBTOR                                  |                                 |   | SPOUSE           |               |
| Occupation See Sch               | nedule Attached                         | Cook                            |   |                  |               |
| Name of Employer                 |   |                                 | Nursir  | ng And Rehab Cer | ntre          |
| How long employed                |   | 25 years                        |   |                  |               |
| Address of Employer              |   | 7445 North She                  |   | Road             |               |
|                                  |   | Chicago, IL 606                 | 26  |                  |               |
| <b>INCOME:</b> (Estimate of aver | rage or projected monthly income at t   | ime case filed)                 |   | DEBTOR           | SPOUSE        |
|                                  | ges, salary, and commissions (prorate   |                                 | \$  | 2,336.36 \$      | 2,076.45      |
| 2. Estimated monthly overting    |   | 3,                              | \$  | 189.76 \$        | ,             |
| 3. SUBTOTAL                      |   |                                 | \$  | 2,526.12 \$      | 2,076.45      |
| 4. LESS PAYROLL DEDUC            | CTIONS                                  |                                 | Ψ   |                  |               |
| a. Payroll taxes and Social      |   |                                 | \$  | 306.74 \$        | 349.23        |
| b. Insurance                     | •                                       |                                 | \$  | \$               |               |
| c. Union dues                    |   |                                 | \$  | \$               | 34.67         |
| d. Other (specify) See So        | chedule Attached                        |                                 | \$  | 653.82 \$ _      | 2.17          |
|                                  |   |                                 | <u>\$                                    </u> | \$               |               |
| 5. SUBTOTAL OF PAYRO             | OLL DEDUCTIONS                          |                                 | \$  | <u>363.75</u> \$ | 386.07        |
| 6. TOTAL NET MONTHL              | Y TAKE HOME PAY                         |                                 | \$  | 2,162.37 \$      | 1,690.38      |
| 7. Regular income from oper      | ation of business or profession or fari | n (attach detailed statement)   | \$  | \$               |               |
| 8. Income from real property     |   | ,                               | \$  | 1,200.00 \$      |               |
| 9. Interest and dividends        |   |                                 | \$  | \$ _             |               |
|                                  | support payments payable to the deb     | tor for the debtor's use or     | Φ.  | Φ.               |               |
| that of dependents listed above  |   |                                 | \$  | \$ _             |               |
| 11. Social Security or other g   | overnment assistance                    |                                 | \$  | \$               |               |
| (Specify)                        |   |                                 | \$ —  |                  |               |
| 12. Pension or retirement inc    | ome                                     |                                 | \$  | \$               |               |
| 13. Other monthly income         |   |                                 |   |                  |               |
| (Specify)                        |   |                                 | . \$  | \$ _             |               |
|                                  |   |                                 | \$  | \$               |               |
|                                  |   |                                 | . \$  | \$               |               |
| 14. SUBTOTAL OF LINES            | S 7 THROUGH 13                          |                                 | \$  | 1,200.00 \$      |               |
| 15. AVERAGE MONTHLY              | Y INCOME (Add amounts shown on          | lines 6 and 14)                 | \$  | 3,362.37 \$      | 1,690.38      |
|                                  |   |                                 |   |                  |               |
|                                  | E MONTHLY INCOME: (Combin               | e column totals from line 15;   |   | ¢ 50             | 52 7 <b>5</b> |
| if there is only one debtor rep  | beat total reported on line 15)         |                                 | 1   | \$ <b>5,0</b>    | <u>52.75</u>  |

(Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data)

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document: None

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Case No.

Debtor(s)

## SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

**Continuation Sheet - Page 1 of 1** 

EMPLOYMENT: DEBTOR SPOUSE

Occupation **Busboy** 

Name of Employer **Brinker International Payroll Company** 

How long employed 15 years

Address of Employer 6820 LBJ Freeway

Dallas, TX 75240

Occupation **Busboy** 

Name of Employer **Harry Caray's Restaurant** 

How long employed 3 years

Address of Employer 10233 Higgins Road

Rosemont, IL 60018

Occupation **Busboy** 

Name of Employer **Harry Caray's Restaurant** 

How long employed 3 years

Address of Employer 70 Yorktown Center

Lombard, IL 60148

**DEBTOR SPOUSE** 

Other Payroll Deductions:

Aflac 28.71

**Tip Credit** 625.11

**Union Cope** 2.17

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5,014.79

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Debtor(s)

Case No.

## SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Complete this schedule by estimating the average or projected monthly expenses of the debtor and the debtor's family at time case filed. Prorate any payments made biweekly, quarterly, semi-annually, or annually to show monthly rate. The average monthly expenses calculated on this form may differ from the deductions from income allowed

Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse."

| 1. Rent or home mortgage payment (include lot rented for mobile home)                                       | \$   | 2,210.99 |
|---|--|----------|
| a. Are real estate taxes included? Yes No   |  |          |
| b. Is property insurance included? Yes No 2. Utilities:   |  |          |
|   | ¢.   | 250.00   |
| a. Electricity and heating fuel   | 2 —  | 250.00   |
| b. Water and sewer  | 2 —  | 42.00    |
| c. Telephone  | \$   | 75.00    |
| d. Other Second Mortgage  | _ \$   | 407.00   |
|   | _ \$   |          |
| 3. Home maintenance (repairs and upkeep)  | \$   | 50.00    |
| 4. Food   | \$   | 300.00   |
| 5. Clothing   | \$   | 50.00    |
| 6. Laundry and dry cleaning   | \$   | 75.00    |
| 7. Medical and dental expenses  | \$   | 50.00    |
| 8. Transportation (not including car payments)  | \$   | 216.00   |
| 9. Recreation, clubs and entertainment, newspapers, magazines, etc.   | \$   |          |
| 10. Charitable contributions  | \$   |          |
| 11. Insurance (not deducted from wages or included in home mortgage payments)                               |  |          |
| a. Homeowner's or renter's  | \$   | 84.00    |
| b. Life   | \$   |          |
| c. Health   | \$   |          |
| d. Auto   | \$   | 175.00   |
| e. Other  | \$   |          |
|   | _ <u>\$</u>  |          |
| 12. Taxes (not deducted from wages or included in home mortgage payments)                                   |  |          |
| (Specify) General Real Estate Taxes   | \$   | 317.00   |
| (Speen)) <u>constant to an actual tames</u>   | - <u>\$</u>  |          |
| 13. Installment payments: (in chapter 11, 12 and 13 cases, do not list payments to be included in the plan) | — <i>•</i> —   |          |
| a. Auto   | \$   | 412.80   |
| b. Other  | \$ —   |          |
|   | $- \stackrel{\scriptscriptstyle \Psi}{\scriptscriptstyle \bullet}$ |          |
| 14. Alimony, maintenance, and support paid to others  | — <del>•</del> —   |          |
| 15. Payments for support of additional dependents not living at your home                                   | φ  |          |
| 16. Regular expenses from operation of business, profession, or farm (attach detailed statement)            | φ  |          |
|   | ф —  | 150.00   |
|   | — <sup>©</sup> —   |          |
| Asthma Medication   | — <sup>©</sup> —   | 80.00    |
| Sinus Medication  | \$   | 70.00    |
| <b>18. AVERAGE MONTHLY EXPENSES</b> (Total lines 1-17. Report also on Summary of Schedules and, if          |  |          |

19. Describe any increase or decrease in expenditures anticipated to occur within the year following the filing of this document: None

## 20. STATEMENT OF MONTHLY NET INCOME

applicable, on the Statistical Summary of Certain Liabilities and Related Data.

| a. Average monthly income from Line 15 of Schedule I | \$5,024.04  |
|--|-------------|
| b. Average monthly expenses from Line 18 above       | \$ 5,014.79 |
| c. Monthly net income (a. minus b.)                  | \$ 9.25     |

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(Print or type name of individual signing on behalf of debtor)

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Debtor(s)

Case No. (If known)

## DECLARATION CONCERNING DEBTOR'S SCHEDULES

## DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of **20** sheets, and that they are true and correct to the best of my knowledge, information, and belief. Date: April 7, 2009 Signature: /s/ Rafael Moraga Debto Rafael Moraga Signature: /s/ Vilma A. Moraga Date: **April 7, 2009** (Joint Debtor, if any) Vilma A. Moraga [If joint case, both spouses must sign.] DECLARATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110) I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342 (b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required by that section. Printed or Typed Name and Title, if any, of Bankruptcy Petition Preparer Social Security No. (Required by 11 U.S.C. § 110.) If the bankruptcy petition preparer is not an individual, state the name, title (if any), address, and social security number of the officer, principal, responsible person, or partner who signs the document. Address Signature of Bankruptcy Petition Preparer Date Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document, unless the bankruptcy petition preparer is not an individual: If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person. A bankruptcy petition preparer's failure to comply with the provision of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156. DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP (the president or other officer or an authorized agent of the corporation or a member or an authorized agent of the partnership) of the (corporation or partnership) named as debtor in this case, declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of \_\_\_\_\_ sheets (total shown on summary page plus 1), and that they are true and correct to the best of my knowledge, information, and belief. Signature:

[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]

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## **United States Bankruptcy Court**

Northern District of Illinois

| IN RE:                            | Case No   |
|-----------------------------------|-----------|
| Moraga, Rafael & Moraga, Vilma A. | Chapter 7 |
| Debtor(s)                         | <u> </u>  |

## STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 -25. If the answer to an applicable question is "None," mark the box labeled "None." If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

## **DEFINITIONS**

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

## 1. Income from employment or operation of business

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT SOURCE

0.00 2009; approx. \$8.000.00; 2008: approx. \$55,000.00; and 2007: approx. \$61,400.00.

## 2. Income other than from employment or operation of business

State the amount of income received by the debtor other than from employment, trade, profession, operation of the debtor's business during the two years immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT SOURCE

0.00 2009: approx. \$2,400.00; 2008: approx. \$14,400.00; and 2007: approx. \$14,400.00.

## 3. Payments to creditors

Complete a. or b., as appropriate, and c.

a. Individual or joint debtor(s) with primarily consumer debts: List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within 90 days immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within 90 days immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,475. If the debtor is an individual, indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

c. All debtors: List all payments made within one year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

## 4. Suits and administrative proceedings, executions, garnishments and attachments

None a. List all suits and administrative proceedings to which the debtor is or was a party within **one year** immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

b. Describe all property that has been attached, garnished or seized under any legal or equitable process within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

## 5. Repossessions, foreclosures and returns

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

## 6. Assignments and receiverships

a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and joint petition is not filed.)

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

## 7. Gifts

None List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

## 8. Losses

None List all losses from fire, theft, other casualty or gambling within **one year** immediately preceding the commencement of this case **or since the** commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

## 9. Payments related to debt counseling or bankruptcy

None List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under bankruptcy law or preparation of a petition in bankruptcy within one year immediately preceding the commencement of this case.

## 10. Other transfers

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within **two years** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

b. List all property transferred by the debtor within ten years immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

## 11. Closed financial accounts

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

## 12. Safe deposit boxes

None List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

## 13. Setoffs

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

## 14. Property held for another person

List all property owned by another person that the debtor holds or controls.

 $\checkmark$ 

## 15. Prior address of debtor

If debtor has moved within three years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

## 16. Spouses and Former Spouses

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within eight years immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

## 17. Environmental Information

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law.

a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law.

b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

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None c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

## 18. Nature, location and name of business

a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within six years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within six years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

None b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

 $\checkmark$ 

[If completed by an individual or individual and spouse]

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

| Date: <b>April 7, 2009</b> | Signature /s/ Rafael Moraga of Debtor                  | Rafael Moraga   |
|----------------------------|--|-----------------|
| Date: <b>April 7, 2009</b> | Signature /s/ Vilma A. Moraga of Joint Debtor (if any) | Vilma A. Moraga |
|                            | <b>0</b> continuation pages attached                   |                 |

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. § 152 and 3571.

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Document Page 38 of 39 **United States Bankruptcy Court** 

Northern District of Illinois IN RE: Case No. Moraga, Rafael & Moraga, Vilma A. Chapter 7 Debtor(s) CHAPTER 7 INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION PART A – Debts secured by property of the estate. (Part A must be fully completed for EACH debt which is secured by property of the estate. Attach additional pages if necessary.) Property No. 1 Creditor's Name: **Describe Property Securing Debt: Countrywide Home Lending** Debtor's primary residence commonly known as 2338 West Property will be (check one): Surrendered Retained If retaining the property, I intend to (check at least one): Redeem the property **✓** Reaffirm the debt Other. Explain (for example, avoid lien using 11 U.S.C. § 522(f)). Property is (check one): Claimed as exempt Not claimed as exempt Property No. 2 (if necessary) Creditor's Name: **Describe Property Securing Debt: Countrywide Home Lending** Debtor's primary residence commonly known as 2338 West Property will be (check one): Surrendered Retained If retaining the property, I intend to (check at least one): Redeem the property Reaffirm the debt Other. Explain (for example, avoid lien using 11 U.S.C. § 522(f)). Property is (check one): Claimed as exempt Not claimed as exempt PART B – Personal property subject to unexpired leases. (All three columns of Part B must be completed for each unexpired lease. Attach additional pages if necessary.) Property No. 1 **Describe Leased Property:** Lease will be assumed pursuant to Lessor's Name: Oral leasehold tenancy for \$1,200.00 per 11 U.S.C. § 365(p)(2): Victalia Moraga month ☐ Yes ✓ No Property No. 2 (if necessary) Lease will be assumed pursuant to Lessor's Name: **Describe Leased Property:** 11 U.S.C. § 365(p)(2): Yes No

1 continuation sheets attached (if any)

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I declare under penalty of perjury that the above indicates my intention as to any property of my estate securing a debt and/or personal property subject to an unexpired lease.

| Date: | April 7, 2009 | /s/ Rafael Moraga   |  |
|-------|---------------|---------------------|--|
|       |               | Signature of Debtor |  |
|       |               | /s/ Vilma A. Moraga |  |
|       |               |                     |  |

Signature of Joint Debtor

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## CHAPTER 7 INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION

(Continuation Sheet)

| PART A – C | Continuation |
|------------|--------------|
|------------|--------------|

| Property No. 3  |                      |                 |  |
|---|----------------------|-----------------|--|
| Creditor's Name:<br>Navy Federal Credit Union   |                      |                 | ty Securing Debt:<br>ango with 50k miles                             |
| Property will be (check one):  ☐ Surrendered  |                      |                 |  |
| If retaining the property, I intend to (a ☐ Redeem the property ✓ Reaffirm the debt ☐ Other. Explain                    |                      | (foi            | r example, avoid lien using 11 U.S.C. § 522(f)).                     |
| Property is (check one):  ✓ Claimed as exempt ☐ Not clai  | med as exempt        |                 |  |
| Property No.  |                      |                 |  |
| Creditor's Name:  |                      | Describe Proper | rty Securing Debt:   |
| Property will be (check one):  ☐ Surrendered ☐ Retained   |                      |                 |  |
| If retaining the property, I intend to (a Redeem the property Reaffirm the debt Other. Explain                          | check at least one): | (fo             | r example, avoid lien using 11 U.S.C. § 522(f)).                     |
| Property is (check one):  Claimed as exempt Not claim   | med as exempt        |                 |  |
| Property No.  |                      |                 |  |
| Creditor's Name:  |                      | Describe Proper | ty Securing Debt:  |
| Property will be (check one):  Surrendered Retained   |                      |                 |  |
| If retaining the property, I intend to (a Redeem the property Reaffirm the debt Other. Explain Property is (check one): |                      | (for            | r example, avoid lien using 11 U.S.C. § 522(f)).                     |
| Claimed as exempt Not clai  | med as exempt        |                 |  |
| PART B – Continuation   |                      |                 |  |
| Property No.  |                      |                 |  |
| Lessor's Name:  | Describe Lease       | ed Property:    | Lease will be assumed pursuant to 11 U.S.C. § 365(p)(2):  ☐ Yes ☐ No |
| Property No.  |                      |                 |  |
| Lessor's Name:  | Describe Lease       | ed Property:    | Lease will be assumed pursuant to 11 U.S.C. § 365(p)(2):             |